

EDWARD R. STOUFFER

APRIL 23, 1958.—Committed to the Committee of the Whole House and ordered to be printed

Mr. LANE, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 2677]

The Committee on the Judiciary, to whom was referred the bill (H. R. 2677) for the relief of former Staff Sergeant Edward R. Stouffer, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of the proposed legislation is to pay former S. Sgt. Edward R. Stouffer, of Hagerstown, Md., \$653.52 in full settlement of all claims against the United States for a refund of hospital and medical expenses paid as the result of his wife's being confined in the Kent General Hospital, Dover, Del., in September of 1955 due to an emergency when her admittance was refused at the Dover Air Force Base Hospital.

STATEMENT

In September of 1955 the wife of Edward R. Stouffer was taken ill with a cold and a cough. Her condition became worse and it became difficult for her to breathe. A neighbor tried to get a doctor from town, but was unable to get one. Since Mrs. Stouffer was the wife of an Air Force sergeant, she was taken to the Dover Air Force Base Hospital. The officer in charge refused to admit her to the hospital, and after listening to her chest, he gave her some cold tablets. The following Monday a private doctor was called, and he ordered her to a hospital as she had bronchial pneumonia. She was admitted to the Kent General Hospital as a private patient on September 27, 1955. Her diagnosis upon being admitted to that hospital was that she was suffering from acute infectious hepatitis. She was 7½ months preg-

nant at the time of her admittance to the hospital. She remained at the hospital until October 13, 1955.

Sergeant Stouffer was discharged from the service before his wife was released from the hospital. She had to be brought home in an ambulance. The bill of the hospital amounted to \$653.52.

The report of the Department of the Air Force to the committee on the bill states that Mrs. Stouffer's diagnosis was such that she could not have been properly cared for at the Air Force base hospital, and that the hospital would have had no choice but to deny her admittance. The Air Force opposes the bill on the ground that it would amount to preferential treatment.

This committee feels that the relief provided for in H. R. 2677 should be granted to Mr. Stouffer. The Air Force report reflects the fact that presently civilian medical care is accorded to Air Force dependents under the Dependents' Medical Care Act, and that act provides the means whereby authorized dependents may be furnished care in authorized civilian medical facilities at Government expense when they cannot be properly cared for in military facilities. From the information presented to the committee it appears that Mrs. Stouffer was in serious need of hospital care, and this is further evidenced by the length of time that she was required to remain in the hospital. In the light of these circumstances the committee recommends that the bill be considered favorably.

DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE SECRETARY,
Washington, July 5, 1957.

HON. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your request for the comments of the Department of the Air Force on H. R. 2677, 85th Congress, a bill for the relief of former S. Sgt. Edward R. Stouffer.

The purpose of H. R. 2677 is to authorize and direct the Secretary of the Treasury to pay the sum of \$653.52 to former S. Sgt. Edward R. Stouffer, of Hagerstown, Md., in full settlement of all claims against the United States. The sum represents a refund of hospital and medical expenses sustained as a result of his wife being confined in the Kent General Hospital, Dover, Del., during the month of September 1955. The bill states that such confinement was necessary due to an emergency when her admittance was refused by the officer in charge on September 24, 1955, at the Dover Air Force Base Hospital.

The records of the Dover Air Force Base Hospital contain no information on Mrs. Stouffer but an inquiry addressed to the Kent General Hospital revealed that she was admitted to that hospital as a private patient on September 27, 1955. Diagnosis was acute infectious hepatitis and pregnancy, seven and one-half months. She remained in the hospital until October 13, 1955.

The military medical services available at Dover Air Force Base Hospital on the date involved were such that a patient with Mrs. Stouffer's diagnosis could not have been properly cared for, and the hospital would therefore have had no choice but to deny her admit-

tance. The inability of the Armed Services to provide more complete medical care for the dependents of servicemen has long been recognized, and the Dependents' Medical Care Act now provides the means through which authorized dependents may be furnished care in authorized civilian medical facilities at Government expense when they cannot be properly cared for in military facilities. However, prior to December 7, 1956, the effective date of the Dependents' Medical Care Act, there were no provisions under which dependents could receive civilian medical care at Government expense.

Inasmuch as the civilian medical care was furnished Mrs. Stouffer in 1955, enactment of H. R. 2677 would, in effect, make provisions of the Dependents' Medical Care Act retroactive as to this particular case. The Department of the Air Force does not favor the enactment of H. R. 2677, since numerous other servicemen who were forced to obtain medical care for dependents at their own expense prior to December 7, 1956, have an equal right to reimbursement, and it would be inequitable to single out any one particular person for special attention as does this bill.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

JAMES P. GOODE,
Deputy for Manpower, Personnel and Organization.

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